

DEC 20 2012

CLERK, U.S. DISTRICT COURT
By _____ Deputy

UNITED STATES OF AMERICA

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VS.

§ NO. 4:12-CR-168-A

JOSUE MARTINEZ-GARCIA a/k/a
"Cholo"

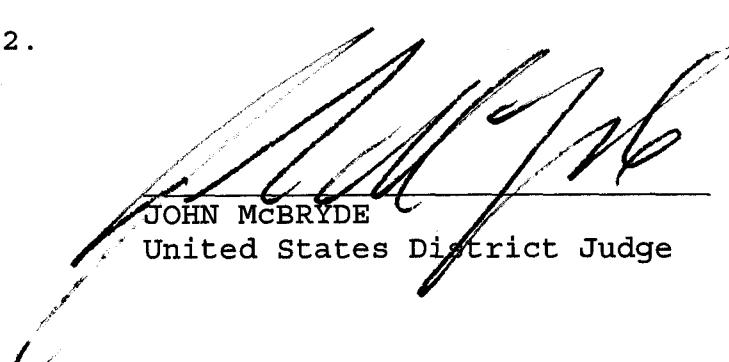
ORDER GRANTING SEVERANCE

After having considered the motion filed December 18, 2012, by defendant, JOSUE MARTINEZ-GARCIA, in the above-captioned case, the court has concluded that the severance sought by such motion should be granted. Therefore,

The court ORDERS that the offense charged by Count Two of the superseding indictment filed in the above-captioned case on December 12, 2012, charging defendant with the offense of illegal reentry after deportation in violation of 8 U.S.C. §§ 1326(a) and (b) (1) be, and is hereby, severed into a separate action, to be tried separately from the offense charged by Count One of such superseding indictment, and that the case number of such severed case is 4:12-CR-260-A, and that the style of such severed case shall be "United States of America v. Josue Martinez-Garcia."

THE COURT SO ORDERS.

SIGNED December 20, 2012.


JOHN McBRYDE
United States District Judge